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Dated: January 6, 2005

Signature:

*Norman Green*  
(Norman Green)

Docket No.: 564462001620 /  
027003/D1350-2US  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Walter CALLEN et al.

Application No.: 09/656,309

Confirmation No.: 9418

Filed: September 6, 2000

Art Unit: 1652

For: ENZYMES HAVING HIGH TEMPERATURE  
POLYMERASE ACTIVITY AND METHODS  
OF USE THEREOF

Examiner: Richard Hutson, Ph.D.

### RCE RESPONSE AND AMENDMENT UNDER 35 U.S.C. § 1.114

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

### INTRODUCTORY COMMENTS

Responsive to the Final Office Action mailed July 08, 2004, Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. The initial due date to respond was October 08, 2004. Applicants herein submit a petition for a three month extension of time to January 08, 2005, under 37 C.F.R. §1.136, with the appropriate fee under 37 C.F.R. §1.17. Accordingly, this Response is timely filed. Reconsideration is respectfully requested.

This response is accompanied by a request for continued examination (RCE) under 37 C.F.R. §1.114. Thus, the finality of the outstanding final office action will be withdrawn and Applicants are entitled to have this first submission for this RCE entered and considered on the merits.

Amendments to the claims are reflected in the listing of claims which begin on page 3 of this paper.

Remarks begin on page 6 of this paper.

The following documents are also enclosed herewith:

- Transmittal of Request for continued examination (RCE) under 37 C.F.R. §1.114;
- Fee Transmittal;
- Petition for 3 Month Extension of Time;
- Transmittal letter, petition for a three month extension of time, postcard; and
- Supplemental Information Disclosure Statement.